



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_X Case No.: 21 MC 102(AKH)

**IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION**

\_\_\_\_\_X **STIPULATION OF DISCONTINUANCE AS  
TO DEFENDANT, NEW YORK CITY  
ECONOMIC DEVELOPMENT  
CORPORATION ONLY**

**THIS DOCUMENT APPLIES TO ALL LOWER  
MANHATTAN DISASTER SITE LITIGATION**

\_\_\_\_\_X

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned for the parties herein, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against defendant *NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION*, only as to the claims being made as to the premises located at One Liberty Plaza, New York, New York and 76/78 Trinity Place, New York, New York shall be and the same hereby are discontinued without prejudice and without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout the court of the litigation which determines that the *NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION* is proper party to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York  
July 12, 2007

**McGIVNEY & KLUGER, P.C.**  
Attorneys for Defendant  
**NEW YORK CITY ECONOMIC  
DEVELOPMENT CORPORATION**

**WORBY GRONER EDELMAN & NAPOLI BERN, LLP**  
Attorneys for Plaintiff(s)

By: \_\_\_\_\_

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80 Broad Street 22<sup>nd</sup> Floor  
New York, New York 10004  
(212) 509-3456

By: \_\_\_\_\_

Christopher R. LoPalo (CL- )  
115 Broadway 12<sup>th</sup> Floor  
New York, NY 10006  
(212) 267-3700

**SO ORDERED:** 8/7/07

U.S.D.J.

|   |           |
|---|-----------|
| Piotr Porowski (And Wife, Malgorzata Porowski)              | 06CV3850  |
| Maria Puma  | 07CV01688 |
| Natalia Quintanilla (And Husband Gerardo Quintanilla)       | 06CV1341  |
| Jesus Quizhpi   | 07CV4509  |
| Igbalija Rugovac (And Wife, Rugovac Sadik)                  | 07CV1524  |
| Edwin Sarmiento (And Wife, Nora Sarmiento)                  | 07CV4515  |
| Maydi Sarmiento   | 06CV6521  |
| Gertrudis Savage (And Husband, Edward Savage)               | 05CV9951  |
| Alfonso Serrano   | 07CV1703  |
| Jerzy Slesicki  | 06CV6814  |
| Miroslaw Szpanielewski (And Wife, Aleksandra Szpanielewska) | 06CV11532 |
| Jose Vasquez (And Wife, Liliann G. Vasquez)                 | 06CV2708  |
| Severo Vega (And Wife, Lila Gonzalez)                       | 07CV4521  |
| Alejandro Vera  | 07CV4522  |
| Kleber Villarruel (Paredes)                                 | 06CV13703 |
| Malgorzata Grabowska  | 06CV4885  |
| Robert Sparano (And Wife, Theresa Sparano)                  | 07CV05388 |
| David Reynolds (And Wife, Katherine Reynolds)               | 07CV3446  |
| Josef Borkowski as administrator of Jan Pietraszkiewicz     | 06CV2527  |
| Leonard Gawin (And Wife, Mirosława)                         | 07CV01619 |
| Pancr Diaz (And Wife, Rosa Diaz)                            | 07CV05351 |
| Rosa Diaz, (And Husband, Pancr Diaz)                        | 07CV05352 |
| Flora B. Davila   | 07CV4463  |
| Vincent Ciarmella   | 07CV05343 |
| Sime Begonia (And Wife, Silva Begonia)                      | 07CV05338 |

| DEFENDERS NAMES                               |           |
|---|-----------|
| John Abati                                    | 07CV05333 |
| Luis Adriano                                  | 07CV4445  |
| Luis Aguilar (And Wife, Maria Aguilar)        | 06CV12701 |
| Enrique Ali                                   | 07CV01554 |
| Raul Alivar                                   | 05CV9821  |
| Fabio Arbelaez                                | 05CV10747 |
| Arturo Arias (And Wife, Marilyn Quintana)     | 07CV05274 |
| Julio Arias (And Wife, Jane Arias)            | 06CV1340  |
| Angel Asmal (And Wife, Gloria Asmal)          | 07CV1461  |
| Luis G. Avila                                 | 07CV4450  |
| Ivan Ayala                                    | 07CV1446  |
| Andrzej Backowski (And Wife, Zofia Backowski) | 07CV01565 |
| Alexander Bajguz (And Wife, Maria Bajguz)     | 06CV2528  |
| Sandra J. Bequero                             | 06CV14486 |
| Hector Barroso                                | 07CV4452  |
| Hector Betancourt                             | 07CV4453  |
| Wiktor Borowiecki                             | 07CV4455  |
| Bolivar Calvinagua                            | 07CV01573 |
| Juan Calvinagua                               | 07CV01574 |
| Ana Patricia Cantos                           | 05CV1272  |
| Maria Chauca (And Wife, Jose Chauca)          | 07CV1482  |
| Nancy Criollo (And Wife, Lawrence Zenteino)   | 07CV4462  |
| Zamilda Cruz                                  | 07CV01598 |
| Cifuentes Del Pilar                           | 07CV01590 |
| Talia Flores                                  | 07CV1609  |
| Dzile Frangu (And Husband, Nazmi Frangu)      | 06CV14660 |

|  |                                |
|--|--------------------------------|
| Edgar O. Galvis  | 06CV3422                       |
| Jesus Garces (And Wife, Elvira Garces)                 | 07CV061615                     |
| Joseph Garcia (And Wife, Carol Garcia)                 | 07CV1500                       |
| Sixta T. Garcia  | 07CV05292                      |
| Sonia Garcia (And Husband, Christian Chavez)           | 07CV05358                      |
| Margarita Gil  | 07CV4470                       |
| Antonio Guerrero                                       | 07CV05294                      |
| Rodolfo Guevara  | 06CV3301                       |
| Carlos Guzman  | 06CV2884                       |
| William Hurtado  | 06CV10781                      |
| Ecuador Intiango                                       | 07CV4475                       |
| Janusz Jakubowski (And Wife, Krystyna Karpinska)       | 06CV14741                      |
| Wieslaw Kolodziejczyk (And Wife, Janina Kolodziejczyk) | 07CV4479                       |
| Edward Kosowski (And Wife, Elzbieta Stefanaka)         | 07CV05299                      |
| Kazimierz Kukacki (And Wife, Kukacka Kukacki)          | 06CV14781                      |
| Antoni Kurak   | 06CV4376                       |
| Ana Lascano  | <del>06CV9933</del> 05 CV 9833 |
| Oswaldo Lopez (And Wife, Elvia V. Lopez)               | 06CV14807                      |
| Mariana Maldonado                                      | 06CV1786                       |
| Juan Mendez (And Wife, Karen Mendez)                   | 07CV01664                      |
| Wilson Moran (And Wife, Gloria Moran)                  | 06CV12341                      |
| Luis Naranjo (And Wife, Rosa Naranjo)                  | 05CV10738                      |
| Pilar Olivo  | 07CV061                        |
| Carmen Padilla   | 05CV9822                       |
| Krzysztof Pajak (And Wife, Ewa Pajak)                  | 07CV4502                       |
| Rolando Pelaez (And Wife, Monica Villamarin)           | 07CV4507                       |
| Jose Peralta   | 07CV01683                      |